

Appl. No. 10/042,748
Amdt. dated August 11, 2003
Reply to Office action of May 9, 2003

REMARKS/ARGUMENTS

Specification

In the specification, the paragraphs [0008], [0012], [0014], [0015], [0016], [0017], [0020], [0022] and [0023] have been amended to correct various informalities of text and reference numbers as per the examiner's kind suggestions.

The new paragraph [0012.1] and [0012.2] added after paragraph [0012] describes the added FIG 3 and 4.

Abstract

The abstract has been amended to correct text informalities as per the examiner's kind suggestion.

Drawings

In Figures 1 and 2, new reference signs were added on the drawing to identify every feature of the invention specified in the claims and in the description (stiffeners (14), L-shaped clip (42), flange (43) and flat clip (44)). No new matter has been added.

Figure 1, 2, 3 and 4 now shows more clearly how the clips are connected to the endless track and also show the claimed structure of the clips.

More particularly, Figure 3 and 4 have been added to show the L-shaped and flat clips which were mentioned in paragraph [0022] of the description and in claims 4, 8 and 12. More particularly, Figure 4 shows the L-shaped clip (42) with its flange (43) and the flat clip (44) without a flange mounted on a track (10). Figure 3 shows a portion of the track displayed in Figure 1, having clips mounted in a non-sequential arrangement, but incorporates the use of L-shaped and flat clips in alternation like the configuration mentioned in paragraph [0022] of the description. No new matter has been entered.

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Claims

Claims 1-13 remain in this application. Claims 1-12 are currently amended. Claim 13 is original.

Claims Objections

The examiner has objected to claims 1-13 as containing text informalities. The applicant submits that currently amended claims 1-12 now incorporate corrections to the text informalities.

Claims Rejections – 35 USC § 112

The examiner has rejected claims 1-4, 8 and 12 under 35 USC 112 as being indefinite.

The applicant respectfully submits that with new figures 3 and 4, currently amended claims 1-4, 8 and 12 now incorporate terms with antecedent basis and also clearly establish what is meant by the expressions “L-shaped clips” and “flat clips”.

Claims Rejections – 35 USC § 102

The examiner has rejected claims 1-3, 5-7, 9-11 and 13 under 35 USC 102(e) as being anticipated by Morin et al.

As stated in currently amended claim 1: "...each clip sequence comprising one or more successive clipping sites with a clip mounted thereon immediately followed by one or two successive clipping sites without a clip, wherein each consecutive clip sequence along said suspension bearing portions being different from each of its immediate neighbors.

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As stated in par [0020] and in Figure 1, a clipping site with a clip is called "C" and a clipping site without a clip is called "X".

Therefore, Figure 1 shows (from the part of the track on the left, starting from the top) that:

the first clip sequence is: C-X-X;
the second clip sequence is: C-C-X;
the third clip sequence is: C-C-C-X;
the fourth clip sequence is: C-C-X-X...

From this example, it is shown that there is no consecutive repetition of clip sequences, such that it constitutes a mixed arrangement of clip sequence along the suspension bearing portions. The second clip sequence is different from its immediate neighbors, the first sequence and the third sequence. It has been found that by locating the clips in a non-sequential arrangement, the overall noise level generated by the track while rotating is significantly lowered.

From paragraph [0018] and [0019], it was established that mixing clip sequences means that the same clip sequences should not repeat in a consecutive fashion. As an example of that, there should be no repetitions such as having:

the first clip sequence is: C-C-C-C-X;
the second clip sequence is: C-C-X;
the third clip sequence is: C-C-C-C-X;
the fourth clip sequence is: C-C-X...

The applicant believes that Morin et al. displays a number of consecutive clip sequences. By having a metal clip at every third pitch (column 8, lines 1-3), which can be illustrated as:

the first clip sequence is: C-X-X;
the second clip sequence is: C-X-X;

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the third clip sequence is: C-X-X;
the fourth clip sequence is: C-X-X...

the inventor defines a clip sequence which mixes the arrangement of clips in the clip sequence, but the clip sequence is repeated all along the "sprocket engaging areas". The second clip sequence is the same as its immediate neighbors, the first sequence and the third sequence.

The applicant therefore respectfully submits that the currently amended claims 1-3, 5-7, 9-11 and 13 claim an invention which is not anticipated by Morin et al.

Claims Rejections – 35 USC § 103

The examiner has rejected claims 4, 8 and 12 under 35 USC 103(a) as being unpatentable over Morin et al. in view of Tokue.

With the currently amended claims 4, 8 and 12 and in light of the hereinabove discussion about the "mixed arrangement of clip sequences", the applicant believes that neither Morin et al. nor Tokue introduce a non-sequential clip arrangement, but rather use a consecutive succession of clip sequences. Therefore, the applicant respectfully submits that currently amended claims 4, 8, and 12 represent patentable subject matter.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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Attachments: Replacement Sheet
Annotated Sheet Showing Changes

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